

RECEIVED
CENTRAL FAX CENTER
AUG 30 2006

LAW OFFICES OF
FAY KAPLUN & MARCIN, LLP
INTELLECTUAL PROPERTY LAW

150 BROADWAY, SUITE 702
NEW YORK, NEW YORK 10038
PHONE: (212) 619-6000
FAX: (212) 208-6819
WWW.FKMIPLAW.COM

FACSIMILE COVER SHEET

FAX NO : (571) 273-8300
TO : Commissioner for Patents
Mail Stop: AF
FROM : Patrick J. Fay, Esq. of Fay Kaplun & Marcin, LLP
DATE : August 30, 2006
SUBJECT : Oncology
U.S. Patent Appln. Serial No. 10/620,495
for *Temporary Tissue Spacer and Pretreatment Balloon*
Our Ref.: 10123/00501

NUMBER OF PAGES INCLUDING COVER : 16

MESSAGE:

Please see attached.

Thank you.

IF ANY PAGES WERE NOT RECEIVED OR ARE ILLEGIBLE, PLEASE CALL (212) 619-6000 AS SOON AS POSSIBLE.
The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. We will reimburse any costs you incur in notifying us and returning the message to us. Thank you.

Attorney Docket No. [10123/00501]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
CENTRAL FAX CENTER

Applicant : Rioux et al.

Serial No. : 10/620,495

Filed : July 16, 2003

For : Temporary Tissue Spacer and Pretreatment Balloon

Group Art Unit : 3763

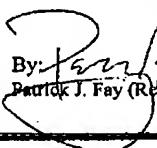
Examiner : Aamer S. Ahmed

AUG 30 2006

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Facsimile
I hereby certify that this correspondence is being transmitted via facsimile to:

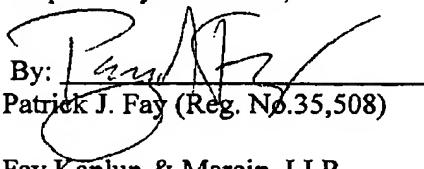
Mail Stop: AF
Commissioner for Patents
Alexandria, VA 22313-1450
(571) 273-8300

By:  Date: August 30, 2006
Patrick J. Fay (Reg. No. 35,508)

TRANSMITTAL

Transmitted herewith please find an Amendment under Rule 116 in response to the Final Office Action mailed May 4, 2006 for filing with the USPTO in the above-identified application. Applicants hereby request a one (1) month extension. Please charge the Credit Card of Fay Kaplun & Marcin, LLP in the amount of \$120.00 (PTO Form 2038 is enclosed herewith). The Commissioner is hereby authorized to charge any additional required fees to the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492**. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

By: 
Patrick J. Fay (Reg. No. 35,508)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, N.Y. 10038
(212) 619-6000 (telephone)
(212) 619-0276 (facsimile)

08/31/2006 MBINAS 00000010 10620495

120.00 OP

01 FC:1251

Attorney Docket No. [10123/00501]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

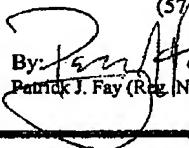
Applicant : Rioux et al.
Serial No. : 10/620,495
Filed : July 16, 2003
For : Temporary Tissue Spacer and Pretreatment Balloon
Group Art Unit : 3763
Examiner : Aamer S. Ahmed

RECEIVED
CENTRAL FAX CENTER
AUG 30 2006

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Facsimile
I hereby certify that this correspondence is being
transmitted via facsimile to:

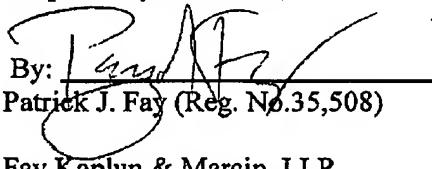
Mail Stop: AF
Commissioner for Patents
Alexandria, VA 22313-1450
(571) 273-8300

By:  Date: August 30, 2006
Patrick J. Fay (Reg. No. 35,508)

TRANSMITTAL

Transmitted herewith please find an Amendment under Rule 116 in response to the Final Office Action mailed May 4, 2006 for filing with the USPTO in the above-identified application. Applicants hereby request a one (1) month extension. Please charge the Credit Card of Fay Kaplun & Marcin, LLP in the amount of \$120.00 (PTO Form 2038 is enclosed herewith). The Commissioner is hereby authorized to charge any additional required fees to the Deposit Account of **Fay Kaplun & Marcin, LLP No. 50-1492**. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

By: 
Patrick J. Fay (Reg. No. 35,508)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, N.Y. 10038
(212) 619-6000 (telephone)
(212) 619-0276 (facsimile)

Dated: August 30, 2006

RECEIVED
CENTRAL FAX CENTER

AUG 30 2006

[10123/00501]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rioux et al.
Serial No. : 10/620,495
Filed : July 16, 2003
For : Temporary Tissue Spacer and Pretreatment Balloon
Group Art Unit : 3763
Examiner : Aamer S. Ahmed

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER RULE 116

In response to the Final Office Action mailed May 4, 2006 in the above-identified application, please enter the following amendments and consider the following remarks: